

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN KALYNA,

Plaintiff,

-against-

THE CITY OF NEW YORK,

Defendant.
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Ann M. Donnelly, United States District Judge:

On January 19, 2016, the plaintiff, John Kalyna, commenced this action against the defendant, The City of New York, pursuant to Section 33 of the Merchant Marine Act of 1920, 46 U.S.C. § 688 (the “Jones Act”), for personal injuries sustained during an accident that occurred while working on a vessel owned by the defendant. (ECF No. 1.) On September 8, 2017, the plaintiff sought leave to file an amended complaint. (ECF No. 27.) On February 28, 2018, United States Magistrate Judge Cheryl L. Pollak issued a Report and Recommendation in which she recommended that the plaintiff’s motion to amend be denied. (ECF No. 56.) No objections have been filed to the Report and Recommendation, and the time for doing so has passed. (ECF No. 56.)

In reviewing an R&R, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Where, as here, no party has objected to the magistrate judge’s recommendation, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Urena v. New York*, 160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

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I have carefully reviewed Judge Pollak's thorough and well-reasoned Report and Recommendation for clear error and find that there is none. Accordingly, I adopt the Report and Recommendation in its entirety. The plaintiff's motion to amend the complaint is denied.

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
March 15, 2018